

**Fire Safety Code Board
Of Appeal and Review
January 31, 2012**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, January 31, 2012 at 1:00 P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Richard, Blackburn, Burlingame, Sylvester, Jackson, Jasparro and Dias. Commissioners Pearson and Walker were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard:

APPEAL #090267: Mr. Robert Joly, for the property located at 1400 Diamond Hill Road in Cumberland. Chief John Walsh appeared for the Cumberland Fire District Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days to present the Fire Marshal with a plan of action for the correction of all outstanding deficiencies within this facility, and an additional 150 days in which to implement that plan. The Cumberland Fire District Fire Marshal is authorized to extend either or both of the above deadlines for good faith efforts being demonstrated by the Applicant. The motion passed over the opposition vote of Commissioner Blackburn.

APPEAL #100152: Mr. Walter Royley, for the property located at 126 Angell Road in Cumberland. Chief John Walsh appeared for the Cumberland Fire District Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of thirty (30) days to present the Fire Marshal with a plan of action for the correction of item 2 of the deficiency report, and an additional 150 days in which to implement that plan by providing the attic area with heat detection. The Cumberland Fire District Fire Marshal is authorized to extend either or both of the above deadlines for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #120003: Salve Regina University, for the property located on Ochre Point Avenue in Newport. Assistant Deputy State Fire Marshals Wayne Clark and Chris Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Vice Chairperson Filippi, to deny the Applicant's request for relief. The Applicant is directed to correct the situation of false alarms in the cited areas within sixty (60) days, at the direction and to the satisfaction of the Newport Fire Marshal's Office. If a mutually acceptable plan is not achieved, or if additional relief is necessary, the Applicant is directed to return to the Board on March 27, 2012. The motion was unanimous.

APPEAL #100058: Saint Michael's Country Day School, for the

property located at 180 Rhode Island Avenue, Newport (Mason House). Assistant Deputy State Fire Marshals Wayne Clark and Chris Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the following relief. The Applicant is granted a variance, based on structural hardship, for the corridor width in the two cited locations within the Mason House. This variance is reinstated from a previous decision #040310. The Applicant is directed to correct all other outstanding deficiencies in this facility on or before the commencement of the 2013/2014 academic year; the Newport Fire Marshal's Office is authorized to extend that deadline for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #100065: Saint Michael's Country Day School, for the property located at 180 Rhode Island Avenue, Newport (Van Buren Building). Assistant Deputy State Fire Marshals Wayne Clark and Chris Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Sylvester, to grant the Applicant a time variance, until March 31, 2012, in which to correct any outstanding deficiencies in this building. The Newport Fire Marshal's Office is authorized to extend the above deadline. The motion was unanimous.

APPEAL #100066: Saint Michael's Country Day School, for the property located at 180 Rhode Island Avenue, Newport (Hill House).

Assistant Deputy State Fire Marshals Wayne Clark and Chris Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance until September 1, 2012 to correct the outstanding deficiencies in this facility. The motion was unanimous.

Respectfully submitted

Carol Marsella